

PATENT APPLICATION
Docket: T2701.DIV

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
LOVELL BRENT IVIE, ET ALS)
Serial No.: 09/004,040)
Filed: January 7, 1998)
For: INFORMATION COMMUNICATION)
SYSTEMS)
-----)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND CHANGE OF CORRESPONDENCE ADDRESS

BOX MISSING PART
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed April 8, 1998, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- (1) Declaration and Power of Attorney executed by the inventor LOVELL BRENT IVIE;
- (2) Declaration and Power of Attorney executed by the inventor DAVE JOHNSON;

11/17/1998 SCARMICH 00000008 09004040

01 FC:201	395.00	DP
02 FC:202	82.00	DP
03 FC:203	44.00	DP
04 FC:205	65.00	DP
05 FC:218	1030.00	DP

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D. C. 20231 on November 5th, 1998.

Grant R. Clayton
Attorney for Applicant

- (3) Declaration and Power of Attorney executed by the inventor R. BRENT HOWARD;
- (4) Declaration and Power of Attorney executed by the inventor GRANT BOWDEN;
- (5) Declaration and Power of Attorney executed by the inventor DANIEL GILSTRAP;
- (6) Declaration Claiming Small Entity Status for a Small Business Concern signed by an officer of IES TECHNOLOGIES, INC.;
- (7) A copy of the Notice to File Missing Parts of Application - Filing Date Granted;
- (8) Check No. 5055 in the amount of \$1,616.00 to cover the total filing fees, including the surcharge fee pursuant to 37 C.F.R. § 1.16(e);

Pursuant to 37 C.F.R. § 1.136(a), it is respectfully requested that time period which was set for responding to the Notice to Filing Missing Parts of Application mailed on April 8, 1998 be extended to five months until November 8, 1998.

These fees have been calculated as follows:

Basic filing fee for a Small Entity	=	\$ 395.00
Surcharge fee for a Small Entity	=	65.00
2 Independent Claims over 3	=	82.00
4 Dependent Claims over 20	=	44.00
Five month extension fee	=	<u>1,030.00</u>
TOTAL	=	\$ 1,616.00

Please debit any additional fees, or credit any overpayment, to Deposit Account No. 20-0100.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

- x Any additional filing fees required under 37 C.F.R. § 1.16.
- x Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 20-0100.

Assistant Commissioner
for Patents
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x Any patent application processing fees under 37 C.F.R. § 1.17.

The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Please change the attorney docket number in the above-captioned application to:

T2701.DIV

Please address all future correspondence to:

Customer No. 20451

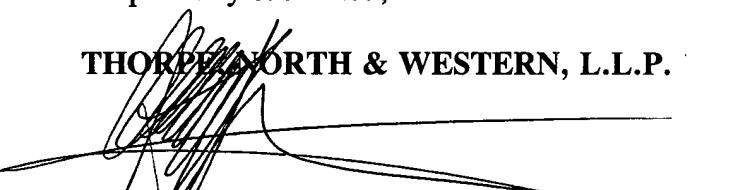
Please direct all telephonic and facsimile communications to:

**Grant R. Clayton
Telephone: (801) 566-6633
Facsimile: (801) 566-0750**

Dated this 5th day of November, 1998.

Respectfully submitted,

THORPE NORTH & WESTERN, L.L.P.


Grant R. Clayton
Attorney for Applicant
Registration No. 32,462
P. O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633

Enclosures
Docket No: T2701.DIV



SECTOR \$
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
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09/004, 040

01/07/98

IVIE

T2701.DIV

THORPE NORTH & WESTERN
9035 SOUTH 700 EAST
SUITE 200
SANDY UT 84070

0232/0408

NOT ASSIGNED

NOV 9 1998

2786

DATE MAILED:

04/08/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 1172.00.

1. The statutory basic filing fee is:

missing.

insufficient.

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 252.00, including any multiple dependent claim fees, are required.

\$ 164.00 for 2 independent claims over 3.

\$ 88.00 for 4 dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unexecuted.

does not cover the newly submitted items.

does not identify the application to which it applies.

does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

M. C. 1000
Customer Service Center

Initial Patent Examination Division (703) 308-1202